

REMARKS

Claims 1-20 are pending in this application. Attached hereto is a complete listing of all claims in the application, with their current status listed parenthetically. By this Response, claims 4-5 and 9-10 have been amended and are presented with markings to indicate their current amendments.

Rejection under 35 U.S.C. § 112, 2nd paragraph

In paragraphs 1 and 2 of the Office Action, the Examiner rejects claims 4-5 and 9-10 as being indefinite because the claims include the word "may." In response, Applicant has amended claims 4-5 and 9-10, removing "may" from the claims. These claim amendments have been drafted in response to the indefiniteness rejection, to impart precision into the claims by more particularly pointing out the invention. The claim amendments have not been drafted to overcome any prior art.

Rejection under 35 U.S.C. § 102

Pending claims 1-4, 6-9, 11-17 and 19-20 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,754,195 ("Webster"). As discussed below, Applicant respectfully traverses this rejection.

A. The Law of Anticipation and Enabling Prior Art References

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. M.P.E.P. § 2131. The identical invention must be shown in as complete detail as is contained in the claim. *Id.*

However, Applicant submits that independent claims 1 and 6 have elements that cannot be found, either expressly or inherently, in Webster. Specifically, each of claims 1 and 6 and recite "an ultra-wideband device."

Webster has no teaching or suggestion of an ultra-wideband device. Webster's FIG. 1 illustrates a conventional WLAN that employs both 802.11b and 802.11g communication devices. Col. 5, lines 49-57 discusses this WLAN arrangement, and it is well known that 802.11b and 802.11g communication devices do not employ ultra-wideband communication technology. In addition, a review of Applicant's FIG. 1, and accompanying discussion in the specification starting on page 9, line 3 and ending on page 11, line 18, clearly distinguishes conventional 802.11 communication technology from ultra-wideband communication technology.

Regarding Applicant's claim 11 that recites "a ultra-wideband communication method" and also recites, in part:

...the first data frame and the second data frame are comprised of:
an automatic gain control section;
a power level section;
an automatic gain control tuning section; and
a synchronization section.

Webster contains no teaching or suggestion of a data frame that includes the above-recited elements. The Examiner cites FIG. 3, element 301 for teaching all the above elements, but a reading of Webster, column 7, lines 23-53, discussing FIG. 3, reveals that the above elements are not taught or suggested. In addition, Webster has no teaching or suggestion of ultra-wideband communication technology, as discussed above.

Applicant respectfully submits that the above response have traversed the rejection of independent claims 1, 6 and 11. Claims 2-4, 7-9, 12-17 and 19-20 depend from claims 1, 6 and 11, and accordingly it is respectfully submitted that the rejection of claims 2-4, 7-9, 12-17 and 19-20 has been traversed by virtue of their dependency from claims 1, 6 and 11. M.P.E.P. § 2143.03.

Rejection Under 35 U.S.C. § 103(a)

In paragraphs 5-7 of the Office Action, claims 5, 10 and 18 stand rejected as unpatentable under 35 U.S.C. § 103(a) over Webster in view of U.S. patent 6,856,610 ("Schmidl") and also in view of U.S. patent 5,463,657 ("Rice"). Applicant respectfully traverses this rejection.

Claims 5, 10 and 18 depend from one of independent claims 1 or 11, and accordingly it is respectfully submitted that the rejection of claims 5 10 and 18 has been traversed by virtue of their dependency from claims 1 or 11, distinguished from the cited art above. M.P.E.P. § 2143.03.


Conclusion

Applicant believes that this Response has addressed all items in the Office Action and now places the application in condition for allowance. Accordingly, favorable reconsideration and allowance of claims 1-20 at an early date is solicited. Enclosed is a fee for a one-month extension of time. The Commissioner is authorized to charge any additional fee required to our Deposit Account No. 50-3143, in the name of Pulse-Link, Inc. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

November 9, 2005

Date



Peter R. Martinez
Attorney for Applicant(s)
Reg. No. 42,845

c/o PULSE-LINK, INC.
1969 Kellogg Avenue
Carlsbad, California 92008
Telephone No.: (760) 607-0844